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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/938,706	09/26/97	KUBOMURA	K 1221290HJS
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EXAMINER

PAULA, C

ART UNIT

PAPER NUMBER

2176

DATE MAILED:

12/11/00

STAAS AND HALSEY  
700 ELEVENTH STREET N W  
SUITE 500  
WASHINGTON DC 20001

TM01/1211

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

**Office Action Summary**

Application No.

08/938,706

Applicant(s)

KUBOMURA ET AL.

Examiner

CESAR B PAULA

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10/10/00.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. § 119**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

**Attachment(s)**

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 18) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This action is responsive to the CPA filed on 10/10/2000.

**This action is made non-final.**

2. In the amendment claims 1-26 are pending in the case. Claims 1, 4, 7, 9, and 11-15 are independent claims.

3. The rejections 1-26 under 35 U.S.C. 103(a) as being unpatentable over Warnock et al. (Pat.# 5,634,064) have been withdrawn as necessitated by the amendment.

#### *Drawings*

4. The drawings filed on 9/26/97 have been approved by the draftsman.

#### *Claim Objections*

5. Claims 10, and 17-23 are objected to because of the following informalities: *memory means for storing the coordinate of at least a character.....said second intended area and are.*

The verb "are" seems to be inappropriately referring to a singular character. Appropriate correction is required.

#### *Claim Rejections - 35 USC § 112*

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 5, and 8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention. It is unclear how the character displayed in the "second intended area" is "larger, equal, smaller" than itself?. Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Warnock et al. (Pat.# 5,634,064, 5/27/97), in view of Niles et al, hereinafter Niles (Pat.# 5,943,679, 8/28/99).

Regarding independent claim 1, Warnock et al fail to explicitly disclose: *An information processing apparatus for displaying at least a character or an image in a first intended area.....* Warnock et al disclose "an electronic document viewer...." (col. 2, ln. 38), "...when in the article view mode, at least a portion of a selected article is displayed on the computer screen in an enhanced article view which facilitates the comfortable reading of the document..." (col. 2, ln. 48-52, col. 3, ln. 17-19, and col. 1, ln. 26-28). However, Niles discloses: "The pop-up magnifier 59...to persistently display the focus image....." (col. 12, ln. 62-67, and col. 13, ln. 1-37), and "a focus page (or focus image) p(i) that is selected by a user with an input device....." (col. 6, ln. 55-67, and col. 7, ln. 1-22). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combined the display of images as taught by Warnock et al and magnification a second window to display data in a first intended window p(i)

of Niles, because Niles discloses "improved visualization technique displayed a 'focus page' (or a focus image) at a legible resolution while displaying legible content of the other pages of the document....." (col. 3, ln. 36-47).

Moreover, Warnock et al disclose: "an electronic document viewer...." (col. 2, ln. 38), "...when in the article view mode, at least a portion of a selected article is displayed on the computer screen in an enhanced article view which facilitates the comfortable reading of the document..." (col. 2, ln. 48-52). Warnock et al fail to explicitly disclose *detection means for detecting whether a request for opening said second intended area is issued*. However, Niles discloses: "The pop-up magnifier 59...to persistently display the focus image....." (col. 12, ln. 62-67, and col. 13, ln. 1-37), and "a focus page (or focus image) p(i) that is selected by a user with an input device....." (col. 6, ln. 55-67, and col. 7, ln. 1-22). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combined the display of images as taught by Warnock et al and magnification a second window to display data in a first intended window p(i) of Niles, because Niles discloses "improved visualization technique displayed a 'focus page' (or a focus image) at a legible resolution while displaying legible content of the other pages of the document....." (col. 3, ln. 36-47).

Moreover, Warnock et al disclose "...the displaying step causes the selected portion of the article to be automatically sized within the article view area to enhance its readability. This is often referred to as " zoom....." (col. 3, ln. 17-20). Warnock et al fail to explicitly disclose *determining means for determining a second magnification rate for said second intended area.....* However, Niles discloses: "The pop-up magnifier 59...to persistently display the focus image....." (col. 12, ln. 62-67, and col. 13, ln. 1-37), and "a focus page (or focus image) p(i) that

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is selected by a user with an input device....." (col. 6, ln. 55-67, and col. 7, ln. 1-22). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combined the display of images as taught by Warnock et al and magnification of a second window (magnifier 59 or focus image) to display data in a first intended window p(i) of Niles, because Niles discloses "improved visualization technique displayed a 'focus page' (or a focus image) at a legible resolution while displaying legible content of the other pages of the document....." (col. 3, ln. 36-47).

Moreover, Warnock et al disclose "Furthermore, selected portions of the article are automatically panned and zoomed to fit a viewing area or window ....." (col. 3, ln. 17-20). Warnock et al fail to explicitly disclose *enlarged display means for displaying said first intended area with said characters...in an enlarged form.....* However, Niles discloses: "The pop-up magnifier 59...to persistently display the focus image....." (col. 12, ln. 62-67, and col. 13, ln. 1-37), and "a focus page (or focus image) p(i) that is selected by a user with an input device....." (col. 6, ln. 55-67, and col. 7, ln. 1-22). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combined the display of images as taught by Warnock et al and magnification of a second window to display data in a first intended window p(i) of Niles, because Niles discloses "improved visualization technique displayed a 'focus page' (or a focus image) at a legible resolution while displaying legible content of the other pages of the document....." (col. 3, ln. 36-47).

Regarding dependent claim 2, Warnock et al disclose "the article can be selected by a variety of modes including.....selecting a visible portion of an article from a document being displayed in the normal view. Preferably the displaying step causes the selected portion of the

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article....."zoom"...." (col. 3, ln. 17-20). Warnock et al fail to explicitly disclose *correcting the magnification rate upward*. However, Niles discloses: "The pop-up magnifier 59...to persistently display the focus image....." (col. 12, ln. 62-67, and col. 13, ln. 1-37), and "a focus page (or focus image) p(i) that is selected by a user with an input device....." (col. 6, ln. 55-67, and col. 7, ln. 1-22). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combined the display of images as taught by Warnock et al and magnification of a second window to display data in a proportionately enlarged first intended window p(i) of Niles, because Niles discloses "improved visualization technique displayed a 'focus page' (or a focus image) at a legible resolution while displaying legible content of the other pages of the document....." (col. 3, ln. 36-47).

Moreover, Warnock et al disclose *maintaining said second magnification rate as it is....--* "when in normal view mode, the document viewer displays at least a portion of the document .....that has the formatting and appearance intended by the publisher....." (col. 2, ln. 45-48).

Furthermore, Warnock et al disclose "when it is desired by the user to leave the article view mode, process control.....which determines whether the original view should be restored....." (col. 10, ln. 4-7). Warnock et al fail to explicitly disclose *means for correcting said magnification rate downward.....* However, Niles discloses: "The pop-up magnifier 59...to persistently display the focus image....." (col. 12, ln. 62-67, and col. 13, ln. 1-37), and "a focus page (or focus image) p(i) that is selected by a user with an input device....." (col. 6, ln. 55-67, and col. 7, ln. 1-22). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combined the display of images as taught by Warnock et al and downward magnification of a second window to by switching "the focus page" or "magnifier 59"

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to another page as taught by Niles, because Niles discloses "improved visualization technique displayed a 'focus page' (or a focus image) at a legible resolution while displaying legible content of the other pages of the document....." (col. 3, ln. 36-47).

Regarding dependent claim 3, Warnock et al disclose "selected portions of the article are automatically panned and zoomed to fit a viewing area or window....." (col. 3, ln. 27-30).

Warnock et al fail to explicitly disclose *means for correcting said magnification rate downward*..... However, Niles discloses: "The pop-up magnifier 59...to persistently display the focus image....." (col. 12, ln. 62-67, and col. 13, ln. 1-37), and "a focus page (or focus image) p(i) that is selected by a user with an input device....." (col. 6, ln. 55-67, and col. 7, ln. 1-22). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combined the magnification of images as taught by Warnock et al and magnification of a second window to by switching "the focus page" or "magnifier 59" to another page as taught by Niles, because Niles discloses "improved visualization technique displayed a 'focus page' (or a focus image) at a legible resolution while displaying legible content of the other pages of the document....." (col. 3, ln. 36-47).

Regarding independent claim 4, the preamble, and the first imitation are directed towards an apparatus for implementing the apparatus of claim 1, and are similarly rejected.

Moreover, Warnock et al fail to explicitly disclose *determining means for determining a second magnification rate*..... However, Niles discloses: "The pop-up magnifier 59...to persistently display the focus image....." (col. 12, ln. 62-67, and col. 13, ln. 1-37), and "a focus page (or focus image) p(i) that is selected by a user with an input device....." (col. 6, ln. 55-67, and col. 7, ln. 1-22). It would have been obvious to a person of ordinary skill in the art at the



time of the invention to have combined the magnification of images as taught by Warnock et al and magnification of the text characters in an area from the size of the characters and an area and its surrounding area on a window by switching “the focus page” or “magnifier 59” to another page as taught by Niles, because Niles discloses “improved visualization technique displayed a ‘focus page’ (or a focus image) at a legible resolution while displaying legible content of the other pages of the document.....” (col. 3, ln. 36-47).

Moreover, Warnock et al fail to explicitly disclose *enlarged display means* ..... However, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have had a *enlarged display means*, because Warnock et al disclose “ furthermore, selected portions of the article are automatically panned and zoomed to fit a viewing area or window .....” (col. 3, ln. 17-20). According to Warnock et al, an article could be displayed “sized” or “zoomed” for better readability, hence a means for displaying the enlargement of the article would be needed to accomplish the desired enhancement.

Claim 5 is directed towards an apparatus for performing the functions of the apparatus in claim 2, and is rejected under the same rationale.

Regarding dependent claim 6, Warnock et al fail to disclose *said determining means calculates said magnification rate .....the character displayed....first magnification rate is equal to the size of the character displayed in the intended area* . However, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have had a *such determining means*, because Warnock et al disclose. “when in normal view mode, the document viewer displays at least a portion of the document .....that has the formatting and appearance

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intended by the publisher....." (col. 2, ln. 45-48). This means that if the user was to open two windows in the normal view mode the two windows would have the same character size.

Furthermore, Warnock et al disclose "furthermore, selected portions of the article are automatically panned and zoomed to fit a viewing area or window ....." (col. 3, ln. 17-20) hence the display of a character in the enlarged form.

Regarding independent claim 7, the preamble, and the first limitation are directed towards an apparatus for implementing the apparatus of claim 1, and are similarly rejected.

Moreover, Warnock et al disclose "...the displaying step causes the selected portion of the article to be automatically sized within the article view area to enhance its readability. This is often referred to as "zoom....." (col. 3, ln. 17-20). Warnock et al fail to explicitly disclose *determining means for determining a second magnification rate.....* However, Niles discloses: "The pop-up magnifier 59...to persistently display the focus image....." (col. 12, ln. 62-67, and col. 13, ln. 1-37), and "a focus page (or focus image) p(i) that is selected by a user with an input device....." (col. 6, ln. 55-67, and col. 7, ln. 1-22). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combined the magnification of images as taught by Warnock et al and magnification of the text characters in an area from the size of the characters and an area and its surrounding area on a window by switching "the focus page" or "magnifier 59" to another page as taught by Niles, because Niles discloses "improved visualization technique displayed a 'focus page' (or a focus image) at a legible resolution while displaying legible content of the other pages of the document....." (col. 3, ln. 36-47).

Moreover, Warnock et al disclose furthermore, selected portions of the article are automatically panned and zoomed to fit a viewing area or window ....." (col. 3, ln. 17-20).

Warnock et al fail to explicitly disclose *enlarged display means* ..... However, Niles discloses: "The pop-up magnifier 59...to persistently display the focus image....." (col. 12, ln. 62-67, and col. 13, ln. 1-37), and "a focus page (or focus image) p(i) that is selected by a user with an input device....." (col. 6, ln. 55-67, and col. 7, ln. 1-22). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combined the magnification of images as taught by Warnock et al and magnification of the text characters in an area from the size of the characters and an area and its surrounding area on a window by switching "the focus page" or "magnifier 59" to another page as taught by Niles, because Niles discloses "improved visualization technique displayed a 'focus page' (or a focus image) at a legible resolution while displaying legible content of the other pages of the document....." (col. 3, ln. 36-47).

Regarding dependent claim 8, Warnock et al disclose "furthermore, selected portions of the article are automatically panned and zoomed to fit a viewing area or window ..... " (col. 3, ln. 17-20). According to Warnock et al, an enlarged article could be adjusted to fit to a specific window or screen size.

Regarding independent claim 9, the preamble is directed towards an apparatus for implementing the apparatus of claim 1, and is similarly rejected.

Moreover, Warnock et al disclose "....the other type of scroll is an article scroll.....a step 114 is used to reset the pointer ....to display a new portion of the article.....this new portion of the article is automatically panned and zoomed to fit within the article view area of the window....." (col. 9, ln. 46-55). In this previous quote, Warnock et al teach a means to reset a pointer in a document so as to scroll to and display a new portion of a document. Once the document has reached this new portion or *state*, the system then magnified or zoomed the portion

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for better readability—*detection means for detecting whether the trailing end of said intended area scrolled....has reached a state displayable on said display screen*. However, Warnock et al fail to explicitly disclose opening a second intended area. As the Examiner established in the rejection of claim 1, Niles teaches opening a second intended area. It would have been obvious to one of ordinary skill in the art at the time of the invention to have combined Warnock et al, and Niles for the same reasons set forth in the rejection of claim 1.

Moreover, Warnock et al disclose “....the other type of scroll is an article scroll.....a step 114 is used to reset the pointer ....to display a new portion of the article.....this new portion of the article is automatically panned and zoomed to fit within the article view area of the window.....” (col. 9, ln. 46-55). Warnock et al fail to explicitly disclose *detection means for detecting whether.....said scrolling means has reached a displayable state and prohibition means for prohibiting said intended window from being further scrolled.....the trailing end .....is in a displayable state*. However, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have had such *prohibition scrolling means*, because this would have enabled the Warnock’s system scroll to the new intended portion of the document, wait for the document reach the displayable state and then had zoomed the document. *Scrolling and its prohibition means* was well known in the art at the time of the invention as shown by the references cited, but not applied in this Office Action. However, Warnock et al fail to explicitly disclose opening a second intended area. As the Examiner established in the rejection of claim 1, Niles teaches opening a second intended area. It would have been obvious to one of ordinary skill in the art at the time of the invention to have combined Warnock et al, and Niles for the same reasons set forth in the rejection of claim 1.

Regarding dependent claim 10, Warnock et al fail to disclose *memory means for storing the coordinates of at least.....* and *restoration means for restoring and displaying ....the display state of said intended area*. However, Niles discloses: "The pop-up magnifier window 59, which is generally centered on the display screen...to persistently display the focus image....." (col. 12, ln. 59-67, and col. 13, ln. 1-37), and "a focus page (or focus image) p(i) that is selected by a user with an input device....." (col. 6, ln. 55-67, and col. 7, ln. 1-22). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combined the display of images as taught by Warnock et al and magnification of a second window centered on the screen to display data in a first intended window p(i) of Niles, because Niles discloses "improved visualization technique displayed a 'focus page' (or a focus image) at a legible resolution while displaying legible content of the other pages of the document....." (col. 3, ln. 36-47).

Claims 11-15 are directed towards a recording medium readable by a computer for performing the functions of the apparatus in claims 1, 4, 7, 9, and 10 respectively and are rejected under the same rationale.

Claims 16-23 are directed towards the same limitations of claim 10, and are rejected under the same rationale.

Claims 24-26 are directed towards recording medium readable by a computer for performing the functions of the apparatus in claim 10, and are rejected under the same rationale.

### ***Response to Arguments***

10. Applicant's arguments with respect to claims 1-26 have been considered but are moot in view of the new ground(s) of rejection. The Applicants are directed to the rejections based on the amendment over Warnock et al in view of Niles.

***Conclusion***

I. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. ROWE et al. (Pat. # 5,781,785)

II. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cesar B. Paula whose telephone number is (703) 306-5543. The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 4:00 p.m. (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached on (703) 308-5186. However, in such a case, please allow at least one business day.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Any response to this Action should be mailed to:

Director United States Patent and Trademark Office

Washington, D.C. 20231

Or faxed to:

- (703) 308-9051, (for formal communications intended for entry)

Or:

- (703) 308-5403, (for informal or draft communications for discussion only, please label "**PROPOSED**" or "**DRAFT**").

**Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,**

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**Arlington, VA, Sixth Floor (Receptionist).**

*CBP*

12/01/00

  
HEATHER R. HERNDON  
SUPERVISORY PATENT EXAMINER  
GROUP 2700